

## **MINUTES**

### **MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **SEN. DAN HARRINGTON**, on April 19, 2005 at 8 A.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Jerry W. Black (R)  
Sen. Jeff Essmann (R)  
Sen. Kelly Gebhardt (R)  
Sen. Kim Gillan (D)  
Sen. Dan Harrington (D)  
Sen. Sam Kitzenberg (R)  
Sen. Bob Story Jr. (R)  
Sen. Ken Toole (D)

**Members Excused:** Sen. Jim Elliott, Chairman (D)  
Sen. Jon Ellingson (D)

**Members Absent:** None.

**Staff Present:** Kathleen Ely, Committee Secretary  
Lee Heiman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HJ 26, 4/18/2005; HJ 40, 4/18/2005;  
HJ 43, 4/18/2005; HJ 44, 4/18/2005  
Executive Action: HJ 44, HJ 43, HJ 40, HJ 26

00:00:19

**HEARING ON HJ 26 AND HJ 40**

**Opening Statement by Sponsor:**

**REP. CHRISTOPHER HARRIS (D), HD 66**, opened the hearing on **HJ 26**, Study state financial reliance on fed funds; implications of fed budget deficits.

**REP. CHRISTOPHER HARRIS (D), HD 66**, opened the hearing on **HJ 40**, Support US constitutional amendment on balanced budget.

**SEN. HARRINGTON** ruled that both bills would be heard concurrently.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

00:07:23

**Questions from Committee Members and Responses:**

00:08:14

**Closing by Sponsor:**

00:10:57

**HEARING ON HJ 43**

**Opening Statement by Sponsor:**

**REP. JIM PETERSON (R), HD 30**, opened the hearing on **HJ 43**, Resolution to study the classification and valuation of agricultural land.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:**

00:14:04

**Dallas Reese, Department of Revenue**

00:15:11

**Questions from Committee Members and Responses:**

00:23:43 \_\_\_\_\_

**Closing by Sponsor:**

00:26:19

**HEARING ON HJ 44**

**Opening Statement by Sponsor:**

REP. ALAN OLSON (R), HD 45, opened the hearing on HJ 44, Study taxation of oil & gas production, equipment, and transmission pipelines.

**Proponents' Testimony:**

00:28:47 William Duffield, Montana Association of Gas, Oil  
and Coal Counties  
00:29:59 Bob Gilbert, Rosebud County  
00:30:11 Jerome Anderson, Encore Acquisition Company  
00:30:50 Gail Abercrombie, Montana Petroleum Association  
00:33:49 Mary Whittinghill, Montana Taxpayers Association

**Opponents' Testimony:** None.

**Informational Testimony:**

00:34:18 Gene Walborn, Department of Revenue

00:35:14

**Questions from Committee Members and Responses:**

00:47:39

**Closing by Sponsor:**

00:49:39

**EXECUTIVE ACTION ON HJ 44**

**Motion/Vote:** SEN. STORY moved that HJ 44 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. BLACK voting aye by proxy. SEN. GEBHARDT will carry the bill.

00:51:57

**EXECUTIVE ACTION ON HJ 43**

**Motion/Vote:** SEN. STORY moved that HJ 43 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. BLACK voting aye by proxy. SEN. STORY will carry the bill.

00:55:06 \_\_\_\_\_

EXECUTIVE ACTION ON HJ 40

Motion/Vote: SEN. GILLAN moved that HJ 40 BE CONCURRED IN.

Substitute Motion/Vote: SEN. SCHMIDT made a substitute motion that HJ 40 BE TABLED. Substitute motion carried unanimously by voice vote.

00:57:46

EXECUTIVE ACTION ON HJ 26

Motion/Vote: SEN. ESSMANN moved that HJ 26 BE TABLED.

Substitute Motion/Vote: SEN. GILLAN made a substitute motion that HJ 26 BE CONCURRED IN.

Substitute Motion/Vote: SEN. GILLAN made a substitute motion that HJ 26 BE CONCURRED IN. Substitute motion carried 7-4 by voice vote with SEN. BLACK, SEN. ESSMANN, SEN. KITZENBERG, and SEN. STORY voting no. SEN. ELLIOTT, SEN. ELLINGSON, and SEN. SCHMIDT voting aye by proxy. SEN. BLACK voting no by proxy. SEN. GILLAN will carry the bill.

**ADJOURNMENT**

Adjournment: 9:03 A.M.

\_\_\_\_\_  
SEN. DAN HARRINGTON, Acting Chairman

\_\_\_\_\_  
KATHLEEN ELY, Secretary

JE/ke

Additional Exhibits:

**EXHIBIT ([tas84aad0.PDF](#))**